

Suggested Dos and Don'ts

You may find it a stressful experience to receive notification that a complaint has been filed against you. Please take time to review the allegations and any accompanying documents which are sent to you.

Here are some Dos and Don'ts to help you during this process.

If you are teaching in one of the four public school systems, DO consider contacting your local and/or provincial affiliate, which may be able to provide support and guidance during the investigation process or refer you to a lawyer to advise you of your legal rights.

If you are teaching in a private school, DO consider consulting a friend or a lawyer, if this seems more appropriate.

DO wait for 2-3 days after you receive the notice before providing a response. It may assist you to think about the matter and gather your thoughts.

DO call the Investigations and Hearings Department to learn more about the investigation process.

DO try to recall incidents, dates and names of witnesses (if relevant) and provide as much detail as possible (this could be critical to achieving a successful resolution).

Don't contact the person who filed the complaint. We strongly advise that no contact be made with the complainant unless it has been arranged through your principal or a superintendent at the school board.

Don't alter any of your teaching records or files. This would not be in your best interests. It is also an offence under the Act.

The Decision

The College will send you and the complainant a copy of the Investigation Committee's written decision by mail.

Confidentiality

The College does not comment on complaints or investigations unless they are referred for a public hearing. The College does this to protect a complainant, a member in question and to avoid possible prejudice to the process.

How to contact us:

If you have any questions about the complaints process,

please call

Investigations & Hearings
at the College.

Tel: 416-961-8800

Toll free in Ontario:

1-888-534-2222

Fax: 416-961-8822

or you can send a letter to:

The Registrar
c/o Investigations & Hearings
121 Bloor Street East
6th Floor
Toronto, ON M4W 3M5



ONTARIO COLLEGE OF TEACHERS
121 Bloor Street East, 6th Floor, Toronto, ON M4W 3M5



ONTARIO
COLLEGE
OF
TEACHERS

*If
a complaint
is filed
against
you*

The public interest

Under the *Ontario College of Teachers Act*, the College investigates complaints against members of the College. The complaint must relate to alleged professional misconduct, incompetence or incapacity. Students, their parents and members of the profession all benefit from a more publicly accountable profession.

The College is responsible for governing the conduct of its members, including teachers, principals and most supervisory officers in the school system. This does not replace the school board's legal responsibility under the *Education Act* to supervise its employees. Many teachers in independent and private schools are also members.

The College knows that many concerns can be resolved at the level of the school or board. If a member of the public expresses a concern about you to the College, he or she will be encouraged to talk to you, where appropriate, or to the principal of your school. In attempting to resolve the matter, the principal may wish to involve you and/or the superintendent in further discussions. In certain circumstances, College staff may be able to assist in resolving the matter. In others a complainant may choose to file a formal complaint with the College.

The rights of members

During an investigation of allegations against a member, the College takes steps to protect the member's rights:

- investigations will be conducted in a timely and impartial manner
- the member will be advised of the right to seek legal assistance
- the member will be provided with the specific allegation(s) under investigation
- the member will be given an opportunity to provide a written response
- the member will be given an opportunity to provide information to the College investigator
- the complaint will be reviewed impartially by the Investigation Committee, a committee of teachers and public members
- the member will be provided with a written decision of the Investigation Committee.

The Process

The Ontario College of Teachers Act, regulations and by laws set out a specific process for filing and investigating complaints:

- the complaint to the College must be in writing
- the complainant must state his/her name, address and telephone number
- the complainant must provide the name of the member and include specific information about the nature of the allegation
- the College will then notify you and tell you about the complainant's concerns
- you will then have the opportunity to respond to the College
- after the College receives your response, it will be shared with the complainant

- you and the complainant will be asked for details about the incidents and names and addresses of any witness or anyone who may have more information about the complaint
- the College investigator may contact these people for relevant information.

The Investigation Committee

The Investigation Committee will consider relevant information collected during the investigation. Neither you nor the complainant will be present at this meeting.

The Investigation Committee can refuse to consider and investigate a complaint if it finds it to be frivolous, vexatious or otherwise an abuse of process, or that it is outside the jurisdiction of the College.

The Committee may:

- dismiss the complaint
- suggest voluntary dispute resolution
- caution a member in writing or in person (if issues need to be addressed but do not warrant discipline)
- take other action which the Committee views to be appropriate in the circumstances
- refer the matter in whole or in part to the Discipline Committee for a hearing if the information suggests professional misconduct or incompetence
- refer the matter to the Fitness to Practise Committee for a hearing if the information suggests that there may be health-related issues affecting the member's ability to teach.

